

1 STEPHANIE M. HINDS (CABN 154284)  
2 United States Attorney

3 THOMAS A. COLTHURST (CABN 99493)  
4 Chief, Criminal Division

5 LLOYD FARNHAM (CABN 202231)  
6 Assistant United States Attorney

7 450 Golden Gate Avenue, Box 36055  
8 San Francisco, California 94102-3495  
9 Telephone: (415) 436-7200

10 SRIDHAR BABU KAZA (INBN 23454-71)  
11 Trial Attorney,  
12 U.S. Department of Justice, Fraud Section

13 950 Pennsylvania Avenue, NW  
14 Washington, DC 20005  
15 Telephone: (202) 531-1481  
16 sridhar.babu.kaza@usdoj.gov

17 Attorneys for United States of America

18 UNITED STATES DISTRICT COURT

19 NORTHERN DISTRICT OF CALIFORNIA

20 SAN FRANCISCO DIVISION

21 UNITED STATES OF AMERICA, ) CASE NO. 3:21-71156-MAG  
22 Plaintiff, )  
23 v. ) STIPULATION AND ORDER TO CONTINUE  
24 ) HEARING AND EXCLUDE TIME UNDER THE  
25 ) SPEEDY TRIAL ACT AND FED. R. CRIM. P. 5.1  
26 JULI MAZI, )  
27 Defendant. )  
28

29 Defendant Juli Mazi made an initial appearance in this case on July 15, 2021. Defendant Mazi  
30 was released on pretrial services supervision, \$100,000 bond, and release conditions. The Court ordered  
31 that Defendant Mazi's preliminary hearing be held on August 5, 2021, at 10:30 a.m. At the parties'  
32 request, the Court previously continued the preliminary hearing four times and excluded time under the  
33 Speedy Trial Act from August 5, 2021, through December 9, 2021. Defendant Mazi waived the  
34 preliminary hearing, and on December 9, 2021, the Court ordered an arraignment to be conducted on  
35

36 STIPULATION AND ORDER TO EXCLUDE TIME

1 January 12, 2022, and excluded time under the Speedy Trial Act from December 9, 2021 through  
 2 January 12, 2022.

3 The parties have met and conferred and request that this matter be continued from January 12,  
 4 2022, to January 28, 2022. Counsel for Defendant Mazi and counsel for the United States stipulate that  
 5 time be excluded under the Speedy Trial Act from January 12, 2022, through January 28, 2022.  
 6 Defendant Mazi also waives through January 28, 2022, the time in which the government is required to  
 7 file an information or indictment under 18 U.S.C. § 3161(b).

8 The parties stipulate and agree that the exclusion of time is appropriate under the  
 9 circumstances—including the current pandemic and shelter-in-place orders—in order to give the parties  
 10 an opportunity to negotiate the possibility of a pre-indictment resolution, to give defense counsel time to  
 11 review discovery, which the government represents involves, among other items, thousands of pages of  
 12 patient medical and billing records, reports of investigation, and recordings of recorded conversations,  
 13 and to give the government additional time to return and file an indictment or information. *See* 18  
 14 U.S.C. §§ 3161(b), 3161(h)(7)(B)(ii), 3161(h)(7)(B)(iii), and 3161(h)(7)(B)(iv); *see also* *United States v.*  
 15 *Pete*, 525 F.3d 844, 852-53 (9th Cir. 2008) (“the STA makes no distinction regarding the applicability of  
 16 the exclusions under § 3161(h)(1) to the pre-indictment period (governed by § 3161(b)) and the pretrial  
 17 period (governed by §§ 3161(c) and (e)).”); *United States v. Murray*, 771 F.2d 1324, 1328 (9th Cir.  
 18 1985) (“In cases of relative complexity, with multiple defendants and ongoing investigations such as  
 19 here, it may be quite unreasonable to expect the preparation and return of an indictment within thirty  
 20 days.... In the case at bar, efficiency and economy were definitely served by the sixty day extension.”).

21 The parties further stipulate and agree that the ends of justice served by excluding time from  
 22 January 12, 2022, through January 28, 2022, from computation under the Speedy Trial Act outweigh the  
 23 best interests of the public and the defendant in a speedy trial. 18 U.S.C. §§ 3161(h)(7)(A) & (B)(ii)-  
 24 (iv).

25 SO STIPULATED.

1 Dated: January 11, 2022

STEPHANIE M. HINDS  
United States Attorney

6 Dated: January 11, 2022

7 /s/  
8 LLOYD FARNHAM  
9 Assistant United States Attorney  
10 SRIDHAR BABU KAZA  
11 Trial Attorney

12 Dated: January 11, 2022

13 /s/  
14 PHILIP A. SCHNAYERSON  
15 Counsel for Defendant Juli Mazzi

## 10 ORDER

11 Pursuant to the stipulation of the parties, the arraignment currently set for January 12, 2022, is  
12 HEREBY CONTINUED to January 28, 2022.

13 Based upon the facts set forth in the stipulation of the parties and for good cause shown, the  
14 Court finds that failing to exclude the time from January 12, 2022, through and including January 28,  
15 2022, would unreasonably deny defense counsel and Defendant Mazi the reasonable time necessary for  
16 effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv).  
17 The Court also finds that excluding the time from January 12, 2022, through and including January 28,  
18 2022, is appropriate in light of the complexity of the case, and the amount of time necessary to return  
19 and file an indictment under the circumstances, including the current pandemic, within the time  
20 specified by 18 U.S.C. § 3161(b). *See* 18 U.S.C. §§ 3161(h)(7)(B)(ii), 3161(h)(7)(B)(iii); *see also*  
21 *United States v. Pete*, 525 F.3d 844, 852-53 (9th Cir. 2008) (“the STA makes no distinction regarding  
22 the applicability of the exclusions under § 3161(h)(1) to the pre-indictment period (governed by §  
23 3161(b)) and the pretrial period (governed by §§ 3161(c) and (e)).”); *United States v. Murray*, 771 F.2d  
24 1324, 1328 (9th Cir. 1985) (“In cases of relative complexity, with multiple defendants and ongoing  
25 investigations such as here, it may be quite unreasonable to expect the preparation and return of an  
26 indictment within thirty days.... In the case at bar, efficiency and economy were definitely served by the  
27 sixty day extension.”).

28 The Court further finds that the ends of justice served by excluding the time January 12, 2022,  
29 STIPULATION AND ORDER TO EXCLUDE TIME

1 through and including January 28, 2022, from computation under the Speedy Trial Act outweigh the  
2 best interests of the public and the defendants in a speedy trial.

3 Therefore, and with the consent of the parties, IT IS HEREBY ORDERED that the time from  
4 January 12, 2022, through and including January 28, 2022, shall be excluded from computation under  
5 the Speedy Trial Act. 18 U.S.C. §§ 3161(h)(7)(A), (B)(ii)-(iv). The Court also orders that the time  
6 in which the government is required to file an information or indictment under 18 U.S.C. § 3161(b) is  
7 waived with the consent of the Defendant through January 28, 2022.

8 IT IS SO ORDERED.

9  
10 Dated: January 11, 2022



---

11 HON. SALLIE KIM  
12 United States Magistrate Judge  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28